

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MICHAEL J. O'CONNELL, et al.,

Plaintiffs,

v.

ARROW DRAIN & SEWER  
CLEANING, INC.,

Defendant.

Case No. 4:04CV1827RWS

**STIPULATION FOR ENTRY OF CONSENT JUDGMENT**

Come now the parties and stipulate as follows:

1. Judgment shall be entered in favor of plaintiffs and against defendant Arrow Drain & Sewer Cleaning, Inc., in the amount of \$28,424.52, which consists of \$17,783.22 in delinquent fringe benefit contributions owed through January 2005, \$6,999.93 in union dues/assessments owed through January 2005, \$2,891.37 in liquidated damages and interest and \$750.00 in legal fees and court costs.

2. Execution on the judgment amount set forth in paragraph 1, above, shall be stayed so long as defendant complies with paragraphs 3, 4 and 5, below.

3. Defendant shall make payments to plaintiffs pursuant to the following schedule:

- a) \$1,000.00 on or before ~~June 15~~ <sup>July 30</sup>, 2005; *AS on 6/29/05*
- b) \$1,000.00 on or before July ~~15~~ <sup>30</sup>, 2005;
- c) \$1,000.00 on or before August 15, 2005;
- d) \$1,000.00 on or before September 15, 2005;
- e) \$1,000.00 on or before October 15, 2005;
- f) \$1,000.00 on or before November 15, 2005;



- e) \$1,000.00 on or before December 15, 2005;
- h) \$1,000.00 on or before January 15, 2006;
- i) \$1,000.00 on or before February 15, 2006;
- j) \$1,000.00 on or before March 15, 2006;
- k) \$1,000.00 on or before April 15, 2006;
- l) \$1,000.00 on or before May 15, 2006;
- m) \$1,000.00 on or before June 15, 2006;
- n) \$1,000.00 on or before July 15, 2006;
- o) \$1,000.00 on or before August 15, 2006;
- p) \$1,000.00 on or before September 15, 2006;
- q) \$1,000.00 on or before October 15, 2006;
- r) \$1,000.00 on or before November 15, 2006;
- s) \$1,000.00 on or before December 15, 2006;
- t) \$1,000.00 on or before January 15, 2007;
- u) \$1,000.00 on or before February 15, 2007;
- v) \$1,000.00 on or before March 15, 2007;
- w) \$1,000.00 on or before April 15, 2007;
- x) \$1,000.00 on or before May 15, 2007;
- y) \$1,000.00 on or before June 15, 2007;
- z) \$1,000.00 on or before July 15, 2007;
- aa) \$1,000.00 on or before August 15, 2007;
- bb) \$1,000.00 on or before September 15, 2007; and
- cc) \$424.52 on or before October 15, 2007.



4. Defendant shall submit its reports, fringe benefit contributions and dues for the period of June 2005 and thereafter on or before the date due as set forth in the collective bargaining agreement between defendant and Plumbers and Pipefitters Local 562.

5. Defendant's contributions and dues for May 2005, with liquidated damages thereon, shall be submitted concurrent with the execution of this Stipulation.

6. Any contributions and dues for the period of February 2005 through April 2005 which have not yet been submitted will be submitted within thirty (30) days of the date of execution of this Stipulation, with liquidated damages thereon.

7. If defendant fails to make a payment when due pursuant to paragraph 3 above, or fails to submit its reports and contributions as required by paragraphs 4 and 5. above, the entire judgment as provided in paragraph 1, less any payments made, shall become immediately due.

8. The parties acknowledge that this Stipulation is based upon unaudited reports submitted by defendant, and that if plaintiffs discover through an audit of defendant's records that additional amounts are owed, then plaintiffs shall be entitled to pursue the collection of such amounts.

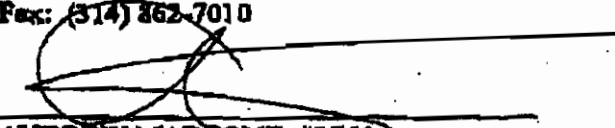
WHEREFORE, the parties stipulate to entry of a consent judgment according to the above terms.

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ARROW DRAIN & SEWER CLEANING,  
INC.

By: Michelle Mahoney

Title: Sic.

SO ORDERED:

UNITED STATES DISTRICT JUDGE

Dated: \_\_\_\_\_

